

1 S. BRENT VOGEL, Nevada State Bar# 6858
Email: Brent.Vogel@lewisbrisbois.com
2 Robert D. Rourke, Nevada State Bar # 5757
Email: Robert.Rourke@lewisbrisbois.com
3 LEWIS BRISBOIS BISGAARD & SMITH LLP
6385 S. Rainbow Boulevard, Suite 600
4 Las Vegas, Nevada 89118
Telephone: 702.893.3383
5 Facsimile: 702.893.3789

6 RITA R. KANNO, California State Bar# 230679 (*admitted Pro Hac Vice*)
Email: Rita.Kanno@lewisbrisbois.com
7 LEWIS BRISBOIS BISGAARD & SMITH LLP
550 West C Street, Suite 1700
8 San Diego, California 92101
Telephone: 619.233.1006
9 Facsimile: 619.233.8627

10 Attorneys for Defendants MERRILL GARDENS LLC, SHI-II HENDERSON, LLC D/B/A
TRUEWOOD BY MERRILL, HENDERSON, and ALEXANDRA TASKOV

11 UNITED STATES DISTRICT COURT

12 DISTRICT OF NEVADA

13
14 DONNA ANN LEDDY SMITH, as Statutory Heir
and Special Administrator for the ESTATE OF
15 JOSEPH MOTTO,

16 Plaintiff,

17 vs.

18 MERRILL GARDENS L.L.C., a foreign limited
liability company; SHI-II HENDERSON, LLC
19 D/B/A TRUEWOOD BY MERRILL,
HENDERSON, a foreign limited liability company;
20 ALEXANDRA TASKOV, individually and as
Administrator; DOE EMPLOYEES I through X;
21 DOE SERVICE PROVIDERS I through X, DOE
GOVERNING MEMBERS I through X; ROE
22 GOVERNING BODIES I through X; and DOES XI
through KX; and ROE CORPORATIONS XI
23 through XX, inclusive,

24 Defendants.
25
26
27
28

Case No. 2:22-cv-00441-RFB-NJK

**STIPULATION AND ORDER TO
REMAND CASE TO STATE COURT**

IT IS HEREBY STIPULATED by and between Plaintiff DONNA ANN LEDDY SMITH, as Statutory Heir and Special Administrator for the ESTATE OF JOSEPH MOTTO, and Defendants MERRILL GARDENS, L.L.C., SHI-II HENDERSON, LLC D/B/A TRUEWOOD BY MERRILL, HENDERSON, and ALEXANDRA TASKOV, by and through their respective attorneys of record that this matter be remanded back to Eighth Judicial District Court, Case No. A-22-846194-C. The parties will bear their own attorneys' fees and costs incurred only as related to the issue of remand. DATED this 20th day of December, 2022.

COGBURN LAW	LEWIS BRISBOIS BISGAARD & SMITH LLP
By: <u>/s/ Hunter S. Davidson</u> _____ Jamie S. Cogburn Hunter S. Davidson 2580 St. Rose Parkway, Suite 330 Henderson, NV 89074	By: <u>/s/ S. Brent Vogel</u> S. Brent Vogel, Esq. Nevada State Bar No. 6858 Robert D. Rourke, Esq. Nevada State Bar No. 5757 6385 S. Rainbow Boulevard, Suite 600 Las Vegas, NV 89118
Attorneys for Plaintiff <i>Donna Ann Leddy Smith (Special Administrator) for the Estate of Joseph Motto</i>	Rita R. Kanno, Esq. (<i>admitted Pro Hac Vice</i>) LEWIS BRISBOIS BISGAARD & SMITH LLP 550 West C Street, Suite 1700 San Diego, CA 92101
	Attorneys for Defendants <i>Merrill Gardens, L.L.C., Shi-II Henderson, LLC d/b/a Truewood By Merrill, Henderson, and Alexandra Taskov</i>

IT IS SO ORDERED.



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE

DATED this 3rd day of January, 2023.

CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of December, 2022, a true and correct copy of **STIPULATION AND ORDER TO REMAND CASE TO STATE COURT** was electronically filed and served on all parties registered with CM/ECF.

Jamie S. Cogburn
Hunter S. Davidson
Cogburn Law
2580 St. Rose Parkway, Suite 330
Henderson, NV 89074
Tel: 702.748.7777
Fax: 702.966.3880
Email: jsc@cogburncares.com
hsd@cogburncares.com
Attorney for Plaintiff

/s/ Gaylene Kim-Mistrille
An employee of
LEWIS BRISBOIS BISGAARD & SMITH LLP